

DHEC'S EXHIBIT 6

AGREEMENT

THE PARTIES AGREE AS FOLLOWS:

1. The parties acknowledge that on August 7, 1980, the parties, except Eastern Utilities, entered into that certain agreement which is attached hereto and made a part hereof as Exhibit A and on August 7, 1980, the parties, except Eastern Utilities, entered into an addendum to the Agreement aforereferenced which is attached hereto and made a part hereof as Exhibit B.
2. On or about July 15, 1993, the Utility Company was sold to Johnson Properties, Inc.
3. As a consequence of the sale abovereferenced, neither Foxwood nor NACO operates the Utility Company.
4. DHEC and Mountain Bay Estates Utility Company have been discussing the Agreement and the Addendum to said Agreement referred to herein and it has been determined that Eastern Utilities, because of its experience in the utility business by virtue of operating a number of utility companies throughout the United States is willing to be obligated in accordance with the obligations imposed upon Foxwood and NACO, as reflected in both the Agreement and the Addendum to Agreement attached hereto.
5. It is agreed between the parties herein that the escrow account referred to in Exhibit "A" shall, within twenty (20) days from the signing of this Agreement, be held by the escrow agent for the benefit of the Utility Company. The monies presently in this escrow account total \$ 339,386.36. And, Utility Company agrees that any funds in this escrow account (including interest earned on the funds) shall be limited to activities related to future expansions (included in the PER for the facility) of the Foxwood Subdivision Wastewater Treatment Facility.
6. The parties all agree that effective the date first above written Foxwood and NACO shall be removed from the Agreement and Addendum Agreement referred to herein and shall be released from any and all obligations they may have pursuant to both Agreements and in their place shall be substituted

Eastern Utilities, so that the Agreement and the Addendum to same will reflect as the parties, effective as of the date first above written, Mountain Bay Estates Utility Company, Inc., Eastern Utilities, Inc., and The South Carolina Department of Health and Environmental Control.

7. The aforereferenced is the only change to the Agreement and Addendum referred to herein.

Whereof the parties have hereunto executed this Agreement the day and date first above written.

Signed, Sealed and Delivered in the presence of:

(As To Foxwood)

Deborah Smith
Lucia Thigpen

(As to Utility Co.)

Melinda Garza
John Z. Del

(As to National American Corporation)

Deborah Smith
Lucia Thigpen

(As to Eastern Utilities, Inc.)

Melinda Garza
John Z. Del

(As to DHEC)

Hina Abbott
Bernadette

FOXWOOD CORPORATION (SEAL)

BY: [Signature], Vice Pres.

ATTEST: Pat Caskey, Asst. Sect.

MOUNTAIN BAY ESTATES UTILITY COMPANY, INC. (SEAL)

BY: Montell White, Pres.

ATTEST: Helma Brown, Sect.

NATIONAL AMERICAN CORPORATION (SEAL)

BY: [Signature], Vice Pres.

ATTEST: Pat Caskey, Asst. Sect.

EASTERN UTILITIES, INC. (SEAL)

BY: Montell White, Pres.

ATTEST: Helma Brown, Sect.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (SEAL)

BY: Michael Monahan

ATTEST: Betty M. Treacy

Notary Public, SC

Commission Expires 3/2/2002

STATE OF SOUTH CAROLINA
BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION

DOCKET NO. 2004-90-W/S

Application of Total Environmental)	
Solutions, Inc. ("TESI") for approval)	Certificate of Service
of adjustment in rates)	
_____)	

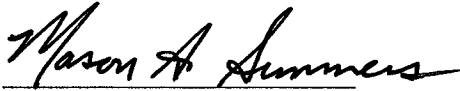
The undersigned for the South Carolina Department of Health and Environmental Control, ("DHEC"), states that he has on July 23, 2004, served upon the parties of record DHEC's Prefiled Testimony and Exhibits in the above-entitled case via first class mail with proper postage affixed as follows:

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Columbia, SC 29202


Mason A. Summers

Columbia, South Carolina
July 23, 2004

